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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,321	08/23/2006	Shigeaki Tamura	050070-0115	8143

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WASHINGTON, DC 20005-3096

EXAMINER

HUNNINGS, TRAVIS R

ART UNIT	PAPER NUMBER
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2612

MAIL DATE	DELIVERY MODE
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12/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,321	Applicant(s) TAMURA, SHIGEAKI	
	Examiner TRAVIS R. HUNNINGS	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being unpatentable over Suzuki (Japanese Patent JP 10095276 A) in view of Yamamoto (Japanese Patent JP 11208370 A).

Regarding claim 1, Suzuki discloses *Vehicular Warning Device* that has the following claimed limitations:

The information providing apparatus (see paragraph [0008]) for a vehicle, which comprises an aural information providing unit (14) to aurally notify various states of a vehicle (see [0015] through [0022]) and a control unit (8) that inputs information of the vehicle through at least one of a vehicle information terminal and a multiplex communication input/output unit (see figure 3), creates from at least warning content of the information, warning aural information including at least a combination of a sound effect and a voice (see figure 1 or 2), causes the aural information providing unit to operate based on the warning aural information and changes the warning aural information for each scene in which a user of the vehicle is placed (see figure 2).

However, Suzuki does not specifically disclose the claimed wherein the control unit changes at least one of a number of times of reproduction of the voice, and a reproduction sequence of the sound effect and the voice to create the warning aural information. Yamamoto discloses *Vehicle Running Support Device* that teaches a vehicle information system wherein warnings are given characteristics that make them more prominent according to the priority to get the driver's attention including changing the number of times the alarm is outputted (Yamamoto: Solution). Adding this feature to Suzuki would help prevent the driver from ignoring some warnings because there is no difference in the sound. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Suzuki according to the teachings of Yamamoto to change the warning based on priority of the situation detected.

Regarding claim 2, the control unit (8) which identifies the scene, based on the input of the information, from any one state of an engine state of the vehicle, a state of the vehicle at a time of start of traveling, a state of the vehicle during traveling, a state of lighting of a light of the vehicle, and a state of a getting-off operation of the user (see 8a to 8d).

Regarding claim 3, the control unit (8) which identifies the scene, based on the input of the information, from a combination of at least two states of an engine state of the vehicle, a state of the vehicle at a time of start of traveling, a state of the vehicle

during traveling, a state of lighting of a light of the vehicle, and a state of a getting-off operation of the user (see paragraphs [0015] and [0016]).

Regarding claim 5, the information providing apparatus for the vehicle wherein the control Unit has a customize mode to register various settings of the aural information providing unit, and includes an input unit to determine contents of the various settings in the customize mode and a storage unit to register the contents of the various settings (see paragraph [0012]).

Response to Arguments

3. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS R. HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin C. Lee can be reached on (571) 272-2963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRH
/Toan N Pham/
Primary Examiner, Art Unit 2612